

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-166286-002 DT

03/28/2013

HONORABLE JEANNE GARCIA

CLERK OF THE COURT
M. Hovorka
Deputy

STATE OF ARIZONA

STEVEN M BONAGUIDI

v.

XAVIER DANIEL MARTINEZ (002)
DOB: 03/12/1991

DANIELA H DE LA TORRE

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

DISPOSITION HEARING - PROBATION REINSTATED

INTENSIVE PROBATION

9:11 a.m.

Courtroom 804 - Central Court Building

State's Attorney:	Krystal Garza on behalf of Steven M Bonaguidi
Defendant's Attorney:	Mark Benson on behalf of Daniela H De La Torre
Defendant:	Present
Court Reporter:	Helene Paustian

LET THE RECORD REFLECT that Defendant's fiancé (Thalio Ramero) and Defendant's mother (Maryann Estrada) address the Court on behalf of the Defendant.

The Court finds Defendant has violated the conditions of probation previously imposed.

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IT IS ORDERED suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), reinstating the Defendant on probation upon release from prison pursuant to A.R.S. 13-603(K):

Count 1: For a period of 2 years.

Count 2: For a period of 2 years.

IT IS ORDERED that probation in Counts 1 and 2 shall run concurrent with each other.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$75.00 per month.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Intensive Probation

Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Gang

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Defendant is reminded that failure to maintain contact with the Probation Department as required by your Probation Officer may result in the following orders being issued against you:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide the terms of probation.

The probation violation report is filed under CR2012-146799-001.

9:36 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JEANNE GARCIA
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)